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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Federal Trade Commission,

Plaintiff,

v.

Grand Canyon Education, Inc., et al.,

Defendants.

No. 2:23-cv-02711-PHX-DWL

**DEFENDANT GRAND CANYON
EDUCATION, INC.'S AND
DEFENDANT BRIAN E. MUELLER'S
STATEMENT PURSUANT TO LOCAL
RULE 37.1 IN SUPPORT OF THEIR
MOTION TO COMPEL**

Pursuant to Local Rule 37.1(b), Defendants Grand Canyon Education, Inc. (“GCE”) and Brian Mueller respectfully submit the following statement identifying the requests for production and interrogatories to which they contend Plaintiff Federal Trade Commission (“FTC”) is improperly withholding information. The FTC asserts privilege objections across entire categories of documents and interrogatory responses—rather than providing individualized objections or partial responses. Defendants present this summary in satisfaction of Local Rule 37.1.

Requests and Interrogatories Directed to GCE:

The FTC asserts one or more of the following privileges and protections in response to the Requests and Interrogatories served by GCE: work product doctrine, deliberative process privilege, informant’s privilege, and law enforcement privilege. Specifically:

- Requests for Production: Request Nos. 1–7, 10, and 12–20 of GCE’s First Set of Requests for Production. (*See* Dickerson Decl., Ex. D.)
- Interrogatories: Request Nos. 1–4 and 10–18 of GCE’s First Set of Interrogatories. (*Id.*, Ex. E.)

The FTC’s privilege assertions with respect to these Requests and Interrogatories are deficient for the reasons set forth in Defendants’ contemporaneously filed Motion to Compel and supporting Memorandum.

Requests and Interrogatories Directed to Defendant Mueller:

The FTC asserts one or more of the following privileges and protections in response to the Requests and Interrogatories served by Defendant Mueller: work product doctrine, deliberative process privilege, informant’s privilege, and law enforcement privilege. Specifically:

- Requests for Production: Request Nos. 1–14 of Mueller’s First Set of Requests for Production. (*See* Obuchowicz Decl., Ex. 3.)
- Interrogatories: Request Nos. 1–9 of Mueller’s First Set of Interrogatories. (*Id.*, Ex. 4.)

The FTC’s privilege assertions with respect to these Requests and Interrogatories are likewise deficient for the reasons set forth in Defendants’ contemporaneously filed Motion to

1 Compel and supporting Memorandum.

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